SINGLE BENCH (1) (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASAPUR

WRIT PETITON NO. 4850/2005

PETITIONER :- Shiv Nath Ram
S/O- late Ramadhar Ram, Caste- Vird, Aged about 65
R/O- Kedarpur Rign Road Abmikapur District _ Surguja (C.G.)

P.R. No. 4521/05
Presented by Shri Binu Pathak
dated 5/9/05

VERSUS

RESPONDENTS

1) The Auditor General Accounts, Chhattisgarh Raipur (C.G.)

2) The Collector, Surguja Distt- Surguja

WRIT PETITON UNDER ARTICLE 226/227 OF THE CONSTITUITON OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MADAMUS CERTIORARI ETC.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4850 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19.10.2005

W.P.No.4850/2005

Smt. Hamida Siddique, counsel for the petitioner.

Shri Pankaj Shrivastava, Panel Lawyer for the State.

Heard.

Learned counsel for the petitioner submits that the petitioner is a retired person. He retired on 31.5.2001. She further submits that after his retirement, his retiral dues were not being paid to him, then the petitioner filed a writ petition vide W.P.No.586/2005 before this Court and this Court after entertaining the writ petition in presence of the Government Advocate on advance copy, passed an order dated 9.3.2005 and it was directed that if so advised, the petitioner may file a detailed representation raising all his grievances along with copy of this order and copy of writ petition within 15 days from that day before the competent authority and if such a representation is filed, the competent authority shall consider and decide the same on its own merits as early as possible preferably within a period of 4 months from the date of filing the representation.

Learned counsel for the petitioner further submits that after passing of this order a detailed representation was filed by the petitioner vide Annexure P-6 through Collector, Ambikapur, District Surguja on 22.3.2005. She also submits that even after a lapse of more than 4 months, the State authorities have not decided the representation of the petitioner and the petitioner is facing much hardship on account of it. She further submits that

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

this action on the part of the respondents may amount to contempt of the order and appropriate action may be taken against them.

Shri Pankaj Shrivastava, Panel Lawyer who is appearing on advance copy on behalf of the State/respondent No.2, Collector, Surguja submits that if an order passed by this Court is not complied in time and the petitioner is aggrieved by the said action of the concerned authority, he may avail appropriate remedy under the law and repeated writ petition is not the proper remedy in this regard.

At this stage, learned counsel for the petitioner seeks permission to withdraw this petition with liberty to take appropriate steps under the law for non compliance of the order passed by this Court on 9.3.2005 in W.P. No. 586/2005.

With the aforesaid liberty, this petition stands disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

Sumita